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IAB CASE NO. SH 2183541

SHOOTING SUMMARY LASD OFFICER INVOLVED SHOOTING REPORT CASE EXHIBITS:

- A. LASD Detective Division Homicide Bureau Case, URN 006-13100-0280-013.
- B. Los Angeles County District Attorney's Office letter of opinion, dated May 22, 2007.
- C. DVD, copy of video of shooting incident filmed by news media helicopter from Channel 5 (KTLA).
- **D.** Photographs of Deputies Godinez, Estrella, Mercado, and Macias taken on the date of the incident by Homicide investigators.
- E. Diagrams of location viewed and signed by Deputies Godinez, Estrella, Mercado, and Macias

IAB MISCELLANEOUS DOCUMENTS

Los Angeles County Sheriff's Department Orficer Involved Shooting

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Date: 11-06-07 Time: 1205 hrs City or Station: East Los Angeles Cotton: East Los Angeles Cotton: E. Hammel Street, East Los Angeles (unincorporated), CA 90063 Lostion: Lester Type (Erickie ene or mone): Backyard Basch Business Prievery Industrial Business Brees Distance: Chardy one): Chardy Distance: Chardy one): Chardy Distance: C	Report Date:	10-06-0	7	Bureau/Station/Facility:	E	LA Station	n	Admin. la	west.?	Hit?	\boxtimes
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SH#_	2183541	

Officer Involved Shooting

URN: 006-13100-0280-013

Arrival Date	11-06-06	Arrival Time 1440	Date Submitted 10-02-07	Date of Recommendation	
			10-02-01		
Employee #Last Name Morejon			First NameElie	er M.	1
Employee #	Last Name	Holloway	First NameDia:	ne M.	L.
Employee #	Last Name	Jensen	First Nam Cur	tis M.	Α.

Meth	od					TVD	e of Injur	V		Body	Par	t Injured
(BB) (BB) (CCH) (C	Arwen Baton:(Conirol) Baton:(Impact) Bodily Fluids Canine Carotid Restraint Chake Hold Control Holds:(Control Tec Control Holds:(Team Take Explosives Firearm (Hendgun) Firearm (Hendgun) Firearm (Stotgun) Firearm (Other) Fisashbarng Flashlight Other Weapon: Edged	edown) ay)	(CO(E)(S)(E)(E)(E)(E)(E)(E)(E)(E)(E)(E)(E)(E)(E)	Other Weaps Personal We Personal We Personal We Personal We Personal We Resiraint Dev Restraint Dev Restraint Dev Restraint Dev Restraint Dev	on: Blunt Object on: Other apon: Feet/Leg: (Kick) apon: Feet/Leg: (Sweep) apon (Hand/Arm) apon (Push) apon (Other) vice (Capture Net) vice (Handcuffs) vice:Hobble (Legs Only) vice: REACT Belt	(AB) (BR) (CP) (CO) (DH) (OI) (DB) (FR) (GS) (HB) (LC) (ND) (OPA) (PW) (SD) (ST) (UN)	Abrasion Bruise Burn Complaini Concussio Death Dislocatio Dog Bite Fractures Gunshot Human Bi Laceration Nerve Dan Organ Da Paralyele Puncture Soft Tissu Sprain/Tw Unconscio	t of Painon finale ite ite ite ite ite ite ite i		(A(A(B(B)(C)ELA(E)(E)(B(B)(C)ELE(E)(E)(B(B)(E)(E)(E)(E)(E)(E)(E)(E)(E)(E)(E)(E)(E)	Abi Ani Bai Bui Chi Elb Fair Ger Haa Hei Kni Leg Ne	domen kle n kkle n ck ktocks est ow est stood nitals sin ad ernal
Bran (AK) (BN) (BR) (CH) (CO) (DA) (HA) (HI) (HK)	AK-47 Benelli Beretta Browning Charler Arms Colt Davis Industries Glock Harrington & Richardson Hi Standard H & K	(JÉ) Jen (LO) Lon (I U) Lug (MA) Mar (MC) Mos (NC) NCI (NA) Nor (NO) Non (RA) Ray	ger rlin ssberg I aka SKS rlin America nnco ven mington		RGI Rossi Smith & Wesson Sturm Ruger Sterling Taurus Weatherby Winchester US Government Handmade (Inmate) Homemade (Non-Inmate) Other Brand	(10) 1 (12) 1 (20) 2 (21) (22)	Refused in NONE Or 9 mm 0 mm 2 guege 0 guage 22-250 22 caliber 223 caliber	(24) (25) (30) (35) (36) (38) (40)	.243 cali .25 calib .308 cali .357 cali 30-60 ca .38 calib .40 calib	ber (er (ber (er)	41) 44) 45) 50) SL) WW)	.410 guage .44 caliber .45 caliber 50 mm Siug Other calibe

FORCE APPLIED (one code per block)

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of injury (Code)	Body Part (Code)
\$1	E#1-4, W#1-3	FH	SW	9			NN	
E#1	S#1	FR	CO	23	Y	Y	DH	
E#2	S#1	FH	BR	9	Y	Y	DH	
E#3	S#1	FS	IT	12	Y	Y	DH	
E#4	S#1	FH	BR	9	Y	Y	DH	
W#1	S#1	FH	SW	40	Y	Y	DH	
W#2	S#1	FS	RM	12	Y	Y	DH	
W#3	S#1	FH	SW	40	Y	Υ	DH	
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Officer Involved Shooting avolved Employee Information

URN: 006-13100-0280

Promise the Charles of the St.		er e		De Maria (Maria (Ma	Page <u>3</u> of <u>5</u>
		thioxi			
1 Employee #	Last Name			First Name	M.I.
	Godinez	700 53 75		Enrique, Jr.	NMN
Sex: Race:	H Rank	Unit Assignm	A Station	Work Assignment (Unit #, Module Unit :	
ShiftTime (circle only on			A Station		20
		Off D Intoxication	Drug Usage?	Substance Used:	
EM PM (Day		OII D	• • -		
Hospital Admission?	Hospital Name:	Coroner Ca	se?	Coroner Case #	Interviewed?
Hrs of sleep prior to sho	ooting: Duty Time (hrs):	Clc Ing (circle only o-	Reid Jacket w/ Vest	Other Factors:	
Age: Heigh	5'09" Weight: 195	Plain Clothes w/ Vest	Uniform no Vest		
Range Qualification Date	e:	PF. Qualification Dat		Laser Training Date:	
Certified with Weapon Used?	Patrol Certification?	Communition Unit:	Prior Shoo	Number of Prior Shootings:	Directed Force:
Weapons Fired	Caliber	# Shots 7-10	Weapons Fired	Caliber	# Shots
Brand: Colt A Field Training Officer E	R-15 Rifle .22	23 7-10	Brand:		M.I.
				First Name	IV7.1.
Field Training Officer E	mp# Last Name			First Name	M.I.
a Employee #	Last Name	and the second s	7 Apr. 4	First Name	M.I.
2 Employee #	Estrella			Daniel	S.
Sex: Race:	Rank	Unit Assignm	ent:	Work Assignment (Unit #, Module,	
***	H DSG	EL	A Station	Unit :	
ShiftTime (chale only on EM PM Da		Off Duty Intoxication/	Drug Usage?	Substance Used:	
Hospital Admission?	Hospital Name:	Coroner Ca	se?	Coroner Case #	Interviewed?
Hrs of sleep prior to sho	oting: Duty Time (hrs):	Clothing (circle only one Plain Clothes no Vest	t): Raid Jacket w/ Vest	Other Factors:	
Age: Heigh	t: 6'00" Weight: 170	Plain Clothes w/ Vest Rold Jackel no Vest	Uniform no Vest		
Range Qualification Date	The second secon	PPC Qualification Date		Laser Training Date:	
Certified with Weapon Used?	Patrol Certification?	Certification Unit:	Prior Sto	notings? Number of Prior Shootings:	Directed Force:
Weapons Fired Brand: Berett	a Caliber 9m	# Shots 9	Weapons Fired Brand:	Caliber	# Shots
Field Training Officer Er			ыак.	First Name	M.I.
Field Training Officer Er	mp# Last Name			First Name	M.I.
3 Employee #	Last Name			First Name	M.J.
<u> </u>	Macias			Armando	NMN
Sex: Race:	H Rank	Unit Assignm	ent: A Station	Work Assignment (Unit #, Module, Unit 2	etc.): 1B
ShiftTime (circle only om EM PM Da	s): ShiftType (circle only one):	Drug Usage?	Substance Used:	· ·
Hospital Admission?	Hospital Name:	Coroner Cas		Coroner Case #	Interviewed?
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		Plain Clothes no Vest	Raid Jacket w/ Vest		
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Range Qualification Dat		PPC Qualification Date		Laser Training Date:	
Certified with Weapon	Patrol Certification?	Certification Unit:	Prior Sho	ootings? Number of Prior Shootings:	Directed Force:
Weapons Fired	Caliber 2.00		Weapons Fired Brand:	Caliber	# Shots
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Field Training Officer Er	mp# Last Name			First Name	M.t.
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Officer Involved Shooting Involved Employee Information

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	Page	4	_of	5
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				India	(Em	itive /			Tanking (
E_4	Employee #.	Last Name Mercado						Name	Michael	M.I. L.	
	Sex. Race:	Rank DSG		Unit Assignme	nt Stati	on	Work A	Assign	nent (Unit #, Module, e Unit 28 (off duty	ride a	long)
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	Certified with Weapon	Patrol Certification?	Certific	ation Unit:		Prior Shoo			Number of Prior		9-05-06 ed Force:
	Weapons Fired	Caliber	#8	ihols 5		ons Fired			Shootings:	#	Shots
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	Fleid Training Officer Emp#	Last Name					First N	Varne	******		M,I,
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E	Employee #	Last Name					First	Name			M.J.
	Sex: Race:	Rank		Unit Assignme	nt:		Work A	Assignr	nent (Unit #, Module, e	łc.):	
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	Hospital Admission?	Hospital Name:		Coroner Case	? 🔲		Corone	er Cas	#		Interviewed?
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	Range Qualification Date:		PPC Qualification Date: Certification Unit: Prior Short # Shots Weapons Fired Brand:			Laser Training Date:					
	Certified with Weapon Used?	Patrol Certification?				Number of Prior Shootings:			Directed Force:		
	Weapons Fired Brand:	Caliber						Caliber	#	Shots	
	Field Training Officer Emp #	Last Name					First Name			M.I.	
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E	Employee #	Last Name					First	Name	enter a complete de la complete de l	a a Lundima	M.i.
	Sex: Race:	Rank		Unit Assignme	nt;		Work A	\ssignr	nent (Unit #, Module, e	ic.):	
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	Field Training Officer Emp #	Last Name	-		Brand:		First Name				M.I.
	Field Training Officer Emp #	Last Name					First N	lame			М.І.
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Officer Involved Shooting URN 006-13100-0280-013

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		((E)(e)	nomios -				
S_1	Last Name Nava,			First Name Arthur	M.I. M.			
	AKA Last Name			First Name	M.I.			
	Sex: M Race: H	Street Address:		Cib	State & Zio Code:			
	Work Phone:	Home Phone:	Social Sec	# ylaus	Oriver's Licence #:			
	Age: 0.0.B. 08-02-1966	Height: 6'00" Weight: 230	FBI#		CII #			
	Booking#	Primary Charge:		Secondary Charge:				
	Coroner Case?	Coroner Case #		Intoxication/Drug Usage?	Substance Used: Methamphetamine			
	Armed?	Apprehended?		Mental Illness?	Methamphetamine Criminal History?			
	Vehicle Make			Model:	Year:			
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s	AKA Last Name			First Name First Name	M.I.			
	THE CONTRACTOR			1 11 06 1 1 (01 1 1 0				
	Sex: Race:	Street Address:		City	State & Zip Code:			
	Work Phone:	Home Phone:	Social Sec	curity #:	Driver's License #:			
	Age: D.O.B.	Height: Weight:	FBI#		CII#			
	Booking#	Primary Charge:		Secondary Charge:				
	Caraner Case?	Coroner Case #		Intextigation/Drug Usage?	Substance Used:			
	Armed?	Apprehended?		Mental Illness?	Criminal History?			
	Vehicle Make			Model:	Year:			
S	Last Name	A TOURIST TO THE		First Name	M.I.			
_	AKA Last Name			First Name	M.I.			
	Sex: Race:	Street Address:		City	State & Zip Code:			
	Work Phone:	Home Phone:	Social Sec		Driver's License #:			
	Age: D.O.B.	Height: Weight:	FBI#		CII#			
	Booking#	Primary Charge:		Secondary Charge:	On Ir			
				Secondary Charge.				
	Coroner Case?	Coroner Case #		infoxication/Drug Usage?	Substance Used:			
	Armed?	Apprehended?		Mental Biness?	Criminal History? Year:			
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s	Last Name		•	First Name	M.J.			
	AKA Last Name			First Mame	M.I.			
	Sex: Race:	Street Address:		City	State & Zip Code:			
	Work Phone:	Home Phone:	Social Sec	anity#	Driver's License #:			
	Age: D.O.B.	Height: Weight:	FBI#		CII#			
	Booking#	Primary Charge:		Secondary Charge:				
	Coroner Case?	Coroner Case #		Intoxication/Drug Usage?	Substance Used:			
	Armed?	Apprehended?		Mental Illness?	Criminal History?			
	Vehicle Make	7,7		Model:	Year:			



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS JUSTICE SYSTEM INTEGRITY DIVISION

STEVE COOLEY • District Attorney
JOHN K. SPILLANE • Chief Deputy District Attorney
CURTIS A. HAZELE • Assistant District Attorney

JANICE L. MAURIZI . Director

May 22, 2007

Chief Michael Brown
California Highway Patrol
Southern Division Headquarters
411 North Central Avenue
Glendale, California 91203-2020

Captain Raymond Peavy
Homicide Bureau
Los Angeles County Sheriff's Department
5747 Rickenbacker Road
Commerce, California 90040

RE:

J.S.I.D. File #:

06-0697

L.A.S.D. URN #:

006-13100-0280-013

Dear Chief Brown and Captain Peavy:

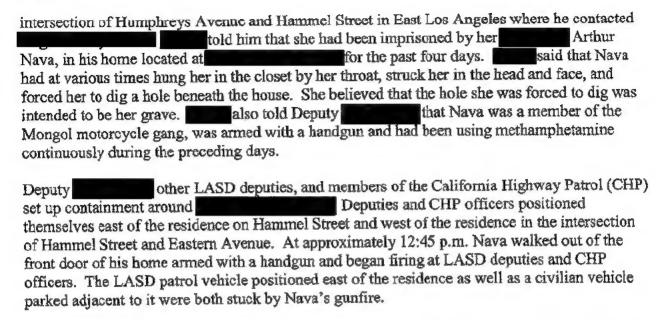
The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the November 6, 2006, fatal shooting of Arthur Mike Nava by California Highway Patrol Officers and Los Angeles County Sheriff's Deputies Enrique Godinez, Daniel Estrella, Armando Macias and Michael Mercado. We have determined that the Officers and Deputies acted lawfully in self defense and the defense of others.

The following analysis is based upon a series of reports prepared by the Los Angeles County Sheriff's Department (LASD) submitted to this office on February 1, 2007. The District Attorney Command Center was notified of this shooting at 1:35 p.m. on November 6, 2006. The District Attorney Response Team consisting of Deputy District Attorney Shannon Presby and District Attorney Senior Investigator responded to the scene. They were given a briefing of the circumstances surrounding the incident. They also were provided with a "walk-through" of the scene and participated in witness interviews. No compelled statements were presented or considered for purposes of this analysis.

FACTUAL ANALYSIS

On November 6, 2006, at approximately 12:02 p.m., LASD Deputy responded to a call of a woman running down the street in handcuffs. Deputy drove to the

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The LASD deputies and CHP officers returned fire but did not hit Nava. Nava then concealed himself behind a cinder block wall fronting the residence. An LASD helicopter which was hovering above the residence broadcast information that Nava appeared to be reloading. After a few moments Nava stood up behind the block wall and fired again at the officers and deputies. The police returned fire striking Nava once in the chest. This portion of the incident was captured on videotape recorded from the helicopter.

After insuring that Nava no longer posed a continuing threat to the deputies and officers, members of the special tactics unit of the LASD moved into the front yard and took Nava into custody. A loaded handgun and numerous expended shell casings ejected from that firearm were located next to Nava in the front yard of the residence. Nava was transported to County USC Medical Center where he was pronounced dead. An autopsy of Nava conducted on November 8, 2006, disclosed that Nava died as a result of the gunshot wound to his chest. Nava also had a graze wound to his lower back and several shotgun pellet wounds to his left forearm and hand. Nava's blood showed the presence of amphetamine and methamphetamine. A large tattoo associated with the Mongols motorcycle gang was also noted on Nava's chest. No deputies or officers were injured during this incident.

CONCLUSION

California law permits the use of deadly force in self-defense or in the defense of another if it reasonably appears that the person claiming the right of self-defense or the defense of another actually and reasonably believed that he was in imminent danger of great bodily injury or death. People v. Williams (1977) 75 Cal.App.3d 731.

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In protecting himself or another, a person may use all force which he believes reasonably necessary and which would appear to a reasonable person, in the same or similar circumstances, to be necessary to prevent imminent injury. CALCRIM 3470.

Where the peril is swift and imminent and the necessity for action immediate, the law does not weigh into nice scales the conduct of the assailed and say he shall not be justified in killing because he might have resorted to other means to secure his safety. People v. Collins (1961) 189 Cal.App.2d 575.

The evidence examined in this investigation indicates that Arthur Nava, a member of the Mongols motorcycle gang, repeatedly fired a handgun at LASD deputies and CHP officers. This shooting took place in a residential neighborhood in the middle of the day. After firing his initial volley of shots at the officers, Nava concealed himself behind a cinderblock wall, reloaded his handgun and fired again at the police. Nava's acts caused the deputies and officers to be in actual and reasonable fear for their individual safety, the safety of their fellow officers and the safety of the residents of this neighborhood.

We find that California Highway Patrol Officers well as Los Angeles County Sheriff's Deputies Enrique Godinez, Daniel Estrella, Armando Macias and Michael Mercado acted lawfully in self-defense and the defense of others. We are closing our file and will take no further action in this matter.

Very truly yours,

STEVE COOLEY District Attorney

SHANNON PRESBY Deputy District Attorney

(213) 974-4634

C:

Officer Officer

Officer

Deputy Enrique Godinez, Serial Number

Deputy Daniel Estrella, Serial Number

Deputy Armando Macias, Serial Number

Deputy Michael Mercado, Serial Number